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PATENT
ATTORNEY DOCKET NO.: 046124-5357

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Shigeru SUZUKI et al.) Confirmation No.: 9081
Application No.: 10/531,426) Group Art Unit: Unassigned
Filed: April 15, 2005) Examiner: Unassigned
For: HYDRAULIC SYSTEM)

U.S. Patent and Trademark Office
Customer Window
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

The listed documents were cited in an International Search Report (ISR) dated January 27, 2004 and International Preliminary Examination Report (IPER) dated June 7, 2004 in the corresponding PCT international application from which this application is a national stage. A copy of the ISR and IPER are enclosed for the Examiner's consideration. Copies of the listed documents are attached.

The following documents are in a language other than English:

- (a) Japanese Laid-Open Patent No. 53-036004. The relevance of this document can be understood from the ISR, the IPER, the English-language abstract, and the figures therein.
- (b) Japanese Laid-Open Patent No. 53-036005. The relevance of this document can be understood from the ISR, the IPER, the English-language abstract, and the figures therein.
- (c) Japanese Laid-Open Patent No. 6-287952 A. The relevance of this document can be understood from the discussion at pages 1-4 of the present application, the English-language abstract, and the figures therein.
- (d) Japanese Laid-Open Patent No. 2003-130006 A. The relevance of this document can be understood from the discussion at pages 1-4 of the present application, the English-language abstract and the figures therein.
- (e) Japanese Laid-Open Patent No. 60-121503. The relevance of this document can be understood from the ISR, the English-language specification, and the figures therein.
- (f) Japanese Laid-Open Patent No. 60-159464. The relevance of this document can be understood from the ISR, the English-language abstract, and the figures therein.
- (g) PCT Patent Publication No. WO 03/036100. The relevance of this document can be understood from the ISR, the English-language abstract and the figures therein.
- (h) PCT Patent Publication No. WO 84/03127. The relevance of this document can be understood from the ISR, the English-language abstract and the figures therein.
- (i) Itoh et al article. The relevance of this document can be understood from the ISR and the figures therein.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and do not constitute an admission that the listed documents are material or constitute "Prior Art." If
1-WA/2444674.1

it should be determined that any of the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of any such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Robert J. Goodell
Reg. No. 41,040

Dated: October 4, 2005

By:

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 PAGE 1 of 1			Attorney Docket No. 046124-5357		Application No. : 10/531,426		
			Applicants: Shigeru SUZUKI et al.				
			National Stage Entry: April 15, 2005		Group Art Unit: Unassigned		
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	<u>Translation</u>
		JP 53-036004	A pr. 4, 1978	Japan (w/ English-language Abstract)			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		JP 53-036005	A pr. 4, 1978	Japan (w/ English-language Abstract)			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		JP 06-287952	Oct. 11, 1994	Japan (w/ English-language Abstract)			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		JP 2003-130006	May 8, 2003	Japan (w/ English-language Abstract)			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		JP 60-121503-U	Aug. 16, 1985	Japan (w/ English-translation of claims)			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		JP 60-159464	Aug. 20, 1985	Japan (w/ English-language Abstract)			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		WO 03/0361000	May 1, 2003	WIPO			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
		WO 84/03127	Aug. 16, 1984	WIPO			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
		Takahiko Itoh et al. "The new theory and technology for hydraulic transmission," <i>The Japan Society of Mechanical Engineers Kanto Shibu</i> , September 2002, pages 243-244.					
Examiner				Date Considered			
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							